

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

RECEIVED

MAY - 8 1998

DOCKET FILE COPY ORIGINAL

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In the Matter of )  
 )  
 ) WT Docket No. 97-207  
Calling Party Pays Service )  
Option in the Commercial ) and  
Mobile Radio Service )  
 )  
 ) CTIA Petition for  
 ) Expedited Consideration  
 )

COMMENTS  
of the  
ASSOCIATION FOR THE PROMOTION AND  
ADVANCEMENT OF SMALL TELECOMMUNICATIONS COMPANIES

I. INTRODUCTION

The Organization for the Promotion and Advancement of Small Telecommunications Companies (OPASTCO) hereby submits these comments in response to the Federal Communications Commission's (FCC) Request for Comments regarding the Cellular Telecommunications Industry Association's (CTIA) Petition for Expedited Consideration in WT Docket No. 97-207.<sup>1</sup> OPASTCO is a national trade association representing nearly 500 independently owned and operated telephone companies servicing rural areas of the United States. Its members, which include both commercial companies and cooperatives, together serve

No. of Copies rec'd 012  
List ABCDE

<sup>1</sup> FCC Public Notice, *Commission Seeks Comment On "Petition For Expedited Consideration Of The Cellular Telecommunications Industry Association" In The Matter Of Calling Party Pays Service Option In The Commercial Mobile Radio Service*, DA 98-468, Released March 9, 1998.

over two million customers. Approximately one third of OPASTCO members offer wireless service to rural subscribers.

## **II. OPASTCO SUPPORTS CTIA'S PETITION FOR EXPEDITED CONSIDERATION**

CTIA's Petition for Expedited Consideration<sup>2</sup> requests that the Commission issue a Notice of Proposed Rule Making (NPRM) to adopt uniform, nationwide rules on Calling Party Pays (CPP) service in the near future. OPASTCO agrees that an NPRM on CPP is desirable. Since completion of wireless calls can fall under both intrastate and interstate jurisdictions, it is important that a new service such as CPP operate under consistent circumstances. Without a federal framework, there is a strong possibility that multiple jurisdictions may establish separate, conflicting regulations which would prove too complex and costly to allow deployment of CPP in an efficient, affordable manner.

## **III. THE ADOPTION OF CALLING PARTY PAYS MUST BE OPTIONAL AND DRIVEN BY MARKET FORCES, NOT REGULATION**

Regardless of how the CPP service option develops, rural carriers should not be forced to offer it by regulatory fiat. Even under optimal conditions, implementation of CPP will likely prove difficult and costly for most Local Exchange Carriers (LECs). This is especially true for smaller carriers. The decision to adopt CPP should be made based on operational circumstances and market conditions faced by individual carriers. Attempts to impose a service option as costly and complex as CPP on rural carriers without regard to local circumstances must be avoided.

---

<sup>2</sup> *Petition For Expedited Consideration Of The Cellular Telecommunications Industry Association, In The Matter Of Calling Party Pays Service Option In The Commercial Mobile Radio Service*, WT Docket No. 97-207, February 23, 1998.

Small and rural LECs overcome significant challenges providing service to their communities. Adding to those challenges by forcing a LEC to provide a new service it is not prepared to offer could interfere with the LEC's ability to provide the basic services all customers rely upon. Regulation should be minimal -- enough to encourage development of CPP, without introducing new requirements or hardships for carriers that do not find it appropriate.

#### **IV. THE NPRM SHOULD ADDRESS THE CONCERNS OF RURAL CARRIERS**

At this time, it is premature for OPASTCO to endorse any specific plan for implementation of CPP. There are many questions and issues which should be resolved by the rulemaking process. In the meantime, it must be stressed that any NPRM on CPP should be crafted to address the concerns of small, rural carriers. Many of these concerns are not unique to rural LECs, and some are reflected in the CTIA petition. These concerns include, but are not limited to, the following:

- A. Customer Notice: A simple, uniform and easily recognized method of notifying customers that they will incur charges due to a CPP situation is necessary.
- B. Billing: Rural carriers must not be required to provide billing services for CPP calls. Those that choose to do so must be permitted to present any CPP charges to the customer in such a manner that customers do not misinterpret (or competitors misrepresent) CPP charges as originating with customers' incumbent local exchange carrier (ILEC).
- C. Technical Issues: The demands of CPP on ILECs' plant and software must be examined with the understanding that not all ILECs own the same equipment. Rural ILECs should not be forced to absorb the formidable costs of upgrades, either for voice or billing equipment, merely to provide CPP.
- D. Standards: Service option and billing standards should be developed which take into account the higher costs of providing service to areas with low population density and the different regulatory requirements of rate-of-return carriers.


E. Blocking: The NPRM should explore blocking options which permit subscribers to prevent their lines from incurring CPP charges.

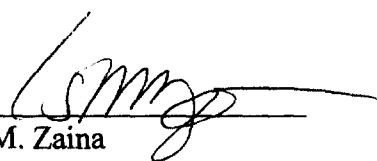
## V. CONCLUSION

It is anticipated that demand for the CPP service option will rise in the near future. Because of the complexity of the service, an NPRM released sooner, rather than later, on CPP will be of more assistance to small and rural carriers that experience this rising demand and are capable of responding. Provided that rural carrier concerns including Customer Notice, Billing, Technical Issues, Standards and Blocking are addressed, CTIA's Petition for Expedited Consideration of the CPP service option in the Commercial Mobile Radio Service should be granted.

Respectfully submitted,

**THE ORGANIZATION FOR THE PROMOTION  
AND ADVANCEMENT OF SMALL  
TELECOMMUNICATIONS COMPANIES**

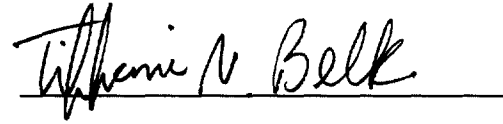
By:   
Stephen Pastorkovich  
Legislative and  
Regulatory Analyst

By:   
Lisa M. Zaina  
Vice President and General Counsel

OPASTCO  
21 Dupont Circle NW  
Suite 700  
Washington, DC 20036  
(202) 659-5990

# CERTIFICATE OF SERVICE

I, Tiffani N. Belk, hereby certify that a copy of the comments by the Organization for the Promotion and Advancement of Small Telecommunications Companies was sent on this, the 8th day of May, 1998 by first class United States mail, postage prepaid, to those listed on the attached sheet.

A handwritten signature in black ink, reading "Tiffani N. Belk", is written over a horizontal line.

Tiffani N. Belk

**Service List**  
**WT Docket 97-207**

Magalie Roman Salas  
Office of the Secretary  
Federal Communications Commission  
1919 M Street, NW  
Room 222  
Washington, DC 20554 (10 copies)

Dr. Joseph Levin  
Policy Division  
Wireless Telecommunications Bureau  
Federal Communications Commission  
2025 M Street, NW  
Washington, DC 20554

Robert F. Roche, Ph.D.  
Assistant Vice President for Policy and Research  
Cellular Telecommunications Industry Association  
1250 Connecticut Avenue, NW  
Suite 200  
Washington, DC 20036

International Transcription Service, Inc.  
1231 20th Street, NW  
Washington, D.C. 20036